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Reading for Understanding

► Key Ideas

BEFORE, YOU LEARNED

The British colonies shared a unique culture shaped by prosperity, literacy, and new movements in religion and thought.

NOW YOU WILL LEARN

American democracy has its roots in the English tradition of representative government.

► Vocabulary

TERMS & NAMES

Magna Carta charter of English political and civil liberties

Parliament England's chief lawmaking body

Edmund Andros English governor appointed to rule the reorganized northern colonies

Glorious Revolution events of 1688–1689, during which the English Parliament invited William and Mary to replace James II as monarchs

English Bill of Rights 1689 laws protecting the rights of English subjects and Parliament

John Peter Zenger New York publisher who was taken to court for criticizing the governor of New York

BACKGROUND VOCABULARY

prominent important and well-known

heritage tradition



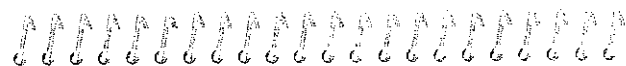
Visual Vocabulary
Magna Carta

► Reading Strategy

Create a diagram like the one shown at right. As you read and respond to the **KEY QUESTIONS**, use the diagram to describe how each document or event strengthened English rights over the centuries.



See Skillbuilder Handbook, page R5.




SEQUENCE EVENTS

1215
Magna
Carta

1688
Glorious
Revolution

1735
Zenger trial
establishes
freedom of the
press





Roots of American Democracy

One American's Story

In 1688, the minister Increase Mather sailed from Massachusetts to England with a complaint. The colonists believed that the new royal governor had trampled their rights as English subjects.

Eventually, Mather came home with a new charter that restored colonists' rights.

PRIMARY SOURCE

“For all *English* liberties are restored to them: No Persons shall have a Penny of their Estates taken from them; nor any Laws imposed on them, without their own Consent by Representatives chosen by themselves.”

—Increase Mather, quoted in *The Last American Puritan*

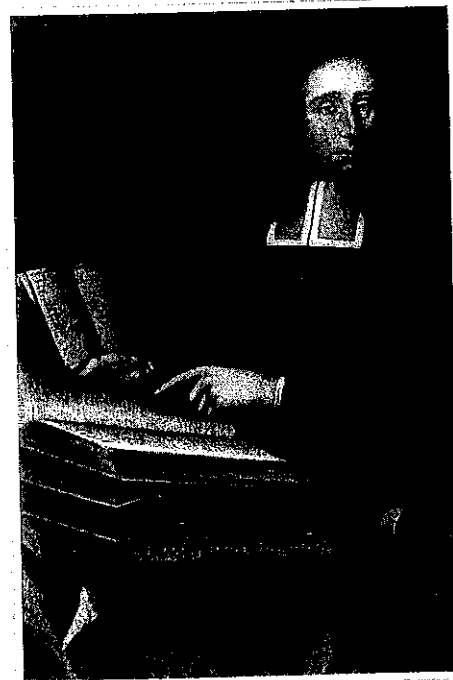
The English rights guaranteed by the Magna Carta and later documents are the basis for the rights that we enjoy today.

The Rights of Englishmen

▼ **KEY QUESTION** How were English rights strengthened over the centuries?

Throughout the colonies, free Americans enjoyed the rights and liberties of English subjects. England had one of the most advanced political democracies in Europe, and English freedoms were envied throughout the world. The American colonists were fiercely protective of these freedoms, which they called the “rights of Englishmen.” The shared belief in certain legal and political principles helped tie the colonies together.

Justice and Self-Government English rights had been developing for centuries. The first step toward guaranteeing these rights came in 1215. That year, English nobles forced King John to sign the **Magna Carta** (Great Charter). By signing this document, the king agreed that he was not above the law. Like everyone else, the king had to obey the laws of the land.



Increase Mather

The Magna Carta was the document that guaranteed English political and civil liberties. It limited the king's power by guaranteeing rights to nobles and "freemen," or those not bound to a master. Their property could not be seized by the king or his officials. They could not be taxed, unless a council of **prominent**, or important and well-known, men agreed. They could not be put on trial based only on an official's word, without witnesses. They could be punished only by a jury of their peers, people of the same social rank.

PRIMARY SOURCE

“No free man shall be seized or imprisoned, or stripped of his rights or possessions, or exiled . . . nor will we proceed . . . against him . . . except by the lawful judgement of his equals or by the law of the land.”

—Magna Carta, translated in *A Documentary History of England*

Over time, the rights promised by the Magna Carta were gradually expanded. One important right was the right to elect representatives to government. The Magna Carta protected the rights of the people and remains the foundation of modern American democracy.



CONNECT

Citizenship and History



TRIAL BY JURY

The Magna Carta promised that no free man would be punished for a crime without being judged by "his equals". By the 1700s, this phrase had helped create a tradition of trial by jury in which jurors listen to the evidence presented in a court and then debate before coming to an agreement.

Jurors are selected from various sources such as voting lists and tax rolls. The Constitution states that jurors in a criminal trial (one that determines the guilt or innocence of a person accused of a crime) must be neutral regarding the case. In addition, a juror must be selected from the community where the crime is supposed to have happened. Every juror is questioned by both defense and prosecuting lawyers, and either lawyer may reject a juror if he/she feels the juror would not serve fairly.

Activity

Set Up a Mock Jury Trial

- 1 Have one student accuse another of a crime and bring him or her to "trial."
- 2 Let each student in your class write his or her name on a piece of paper and put the names in a hat.
- 3 Select twelve jurors.
- 4 Have the jurors listen to the evidence during the trial.
- 5 Let the jury discuss the evidence and then vote to determine if the defendant is guilty or innocent.



See Citizenship Handbook, page 300.

Parliament and Colonial Government Parliament, England's lawmaking body, was the colonists' model for representative government. Parliament had two houses. Members of the House of Commons were elected. Members of the House of Lords were nonelected nobles, judges, and clergy.

English colonists in America did not want to give up the right to representative government. Because the king and Parliament were too far away to manage every detail of the colonies, some self-government was allowed. In all the colonies, the colonists formed their own elected assemblies—smaller-scale versions of the House of Commons. Virginia's House of Burgesses was the first of these. The assemblies imposed taxes and managed the colonies.

The relationship between the assemblies and Parliament was awkward. Although Parliament granted the colonists some self-government, it retained ultimate authority. The colonists disliked many of the laws that Parliament passed without their consent. Conflicts also arose when the king appointed royal governors to rule some colonies on his behalf. These conflicts became more intense in the late 1600s.

▲ **SEQUENCE EVENTS** Describe how English rights were strengthened.

English Rights Threatened

▼ **KEY QUESTION** How were colonial rights affected by political changes?

The political relationship between the assemblies and the English government caused tension on both sides of the Atlantic. In addition, the policies of some kings of England threatened the rights of Englishmen everywhere.

Kings Limit Self-Government In the mid-1600s, Massachusetts and other colonies were smuggling goods and ignoring the Navigation Acts. (See Chapter 4.) When challenged, the people of Massachusetts claimed that England had no right to make laws for them. In response, King Charles II canceled their charter. The charter had given the colony the right of self-government.

When Charles's brother James became king in 1685, he wanted to strengthen royal power. He also changed the way the northern colonies were governed. James combined Massachusetts and the other Northern colonies into one Dominion of New England, ruled by governor **Edmund Andros**. Andros angered the colonists by ending representative assemblies and limiting town meetings.

With their assemblies outlawed, some colonists refused to pay taxes. Andros jailed the loudest protestors. At their trial, they were told, "You have no more privileges left you than not to be Sould [sold] for Slaves."

The colonists sent Increase Mather to England to plead with King James. (See *One American's Story* on page 137.) However, a revolution in England was underway that changed the situation completely.

Connecting History

Expanding Liberty

Settlers in all the early colonies had quickly established representative government. See *Chapter 3*, pp. 65–73.

Why do you think the colonists resented Governor Andros (shown below)?



Colonial Governments



BRITISH CROWN King or Queen



ROYAL GOVERNOR

- appointed by the crown
- oversaw colonial trade
- had final approval on laws
- could dismiss colonial assembly



COUNCIL

- appointed by governor
- advisory board to governor
- acted as highest court in each colony



COLONIAL ASSEMBLY

- elected by eligible colonists
- made laws
- had authority to tax
- paid governor's salary

CRITICAL THINKING How were lawmaking powers shared?

William and Mary Restore English Rights James II restricted English rights not only in the colonies but in England itself. He severely punished a Protestant rebellion and dismissed Parliament in 1687. Enraged by James's actions, Parliament secretly offered the throne to James's daughter, Mary, and her husband, William of Orange. William was the governor of the Netherlands. With little support in England, James fled the country at the end of 1688. Parliament named William and Mary the new monarchs of England. This change in leadership is called England's **Glorious Revolution**.

William and Mary agreed in 1689 to uphold the **English Bill of Rights**. This was a list of specific rights of English people and of Parliament. The monarch could not cancel laws or impose taxes unless Parliament agreed. Free elections and frequent meetings of Parliament were to be held. Excessive fines and cruel punishments were forbidden. People had the right to complain to the king or queen in Parliament without being arrested.

The English Bill of Rights established an important principle: the government was to be based on laws made by Parliament, not on the desires of a ruler. The rights of English people were strengthened.

Colonists Claim English Rights The colonists were quick to claim these rights. When the people of Boston heard of King James's fall, they jailed Governor Andros and asked Parliament to restore their rights. The Massachusetts colonists regained the right to elect representatives to an assembly. However, they had to

accept a governor appointed by the crown. This kind of compromise between royal power and colonial self-government took place in other colonies as well.

The diagram on the upper left shows how most colonial governments were organized by 1700. The royal governor, his council, and the assembly shared power. The governor could strike down laws passed by the assembly, but the assembly was responsible for the governor's salary. If he blocked the assembly, the assembly might refuse to pay him.

After the disagreements between the colonists and the king during the late 1600s, the tension between America and the English government eased. During the early 1700s, England interfered very little in colonial affairs. This hands-off policy was called *salutary neglect* (*salutary* means "helpful" or "beneficial"). Parliament passed many laws regulating trade, the use of money, and even apprenticeships, but governors rarely enforced these laws. The colonists got used to acting independently.

Zenger and Freedom of the Press Colonists moved toward gaining a new right, freedom of the press, in 1735. That year, **John Peter Zenger**, publisher of the *New York Weekly Journal*, stood trial for printing criticism of New York's governor. Zenger's paper claimed that the governor accepted bribes. It also said that the governor had removed a judge and tried to fix an election.

PRIMARY SOURCE

“A Governor turns rogue [criminal], does a thousand things for which a small rogue would have deserved a halter [hanging], and because it is difficult . . . to obtain relief against him, . . . it is prudent [wise] to . . . join in the roguery.”

—*New York Weekly Journal*, quoted in *Colonial America, 1607–1763*

At that time, it was illegal to criticize the king in print. Because the governor represented the king, some claimed that no one should criticize the governor. Andrew Hamilton defended Zenger at his trial, claiming that people had the right to speak the truth. The jury agreed, and Zenger was released. Freedom of the press became an important new right in America.

English rights were part of the colonial **heritage**, or tradition. Respect for these principles of law continues to unite the American people.

▼ **CAUSES AND EFFECTS** Explain how colonial rights were affected by political events in England.



ONLINE QUIZ

For test practice, go to
Interactive Review @ ClassZone.com



Section Assessment

TERMS & NAMES

1. Explain the importance of

- Magna Carta
- Glorious Revolution
- Parliament
- English Bill of Rights
- Edmund Andros
- John Peter Zenger

USING YOUR READING NOTES

2. **Sequence Events** Complete the diagram you started at the beginning of this section.

1215
Magna
Carta

1688
Glorious
Revolution

1735
Zenger trial
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press

KEY IDEAS

3. What English political traditions did colonists bring with them to America?
4. How did King James II restrict the colonists' rights?
5. How did the Zenger trial help expand the colonists' rights?

CRITICAL THINKING

6. **Make Generalizations** How did England's policies toward the colonies change after the Glorious Revolution?
7. **Connect Today** What rights enjoyed by modern Americans can be traced back to the Magna Carta of 1215?
8. **Writing Speech** Write a speech that Increase Mather might have delivered to the English Parliament, asking for a new charter that would protect the colonists' rights.